

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RAUL SIANCAS, individually and on behalf of all
others similarly situated,

Plaintiffs,

-against-

STIPULATION OF
DISMISSAL WITH PREJUDICE
(FRCP 41A)

Case No. 1:14-cv-06151-JS-SIL

RALLYE MOTORS, LLC, RALLYE MOTORS,
HOLDING, LLC, RALLYE LEASING, INC.,
RALLYE GLEN COVE, LLC, RALLYE
NORTHERN, RALLYE ROSLYN, RALLYE
ROSLYN HOLDING, LLC, RALLYE
WESTBURY, LLC, EXCLUSIVE DETAILING,
LISA AGOLIA and MICHAEL AGOLIA,

Defendants.

WHEREAS, on or around October 2, 2014, Plaintiff RAUL SIANCAS filed this action in the United States District Court for the Eastern District of New York, styled *Raul Siancas v. Rallye Motors, Inc., Rallye Motors, Holding, LLC, Rallye Leasing Inc., Rallye Glen Cove, LLC, Rallye Northern, Rallye Roslyn, LLC, Rallye Roslyn Holding, LLC, Rallye Westbury, LLC*, (collectively, the Rallye Defendants) as well as against Exclusive Detailing, No. 1:14-cv-06151 (JS-SIL) (the “Action”); and

WHEREAS, on or about December 14, 2014, the Action was discontinued as against Rallye Leasing, Inc.; and

WHEREAS, in separate filings dated June 11, 2015, Plaintiffs Raul Siancas, Billy Odria, Jose Alexander Rivera Rapalo, Rossebel Lobo Rivera, Edilberto Munguia Ortiz and Orlin Maldonado filed Consents to joint the Action; and

WHEREAS, on **May 21, 2024**, Edilberto Munguia Ortiz a/k/a Edilberto Munguia withdrew all claims against the Rallye Defendants with prejudice, and

WHEREAS, June 25, 2024 the Court dismissed Mr. Maldonado's claims for failure to prosecute with prejudice (ECF No. 165).

WHEREAS, on or about May 10, 2016, Defendant Exclusive Detailing filed for bankruptcy protection; and

WHEREAS, as a result of Exclusive Detailing's bankruptcy, the Action was stayed on May 17, 2016, but only as against that entity; and

WHEREAS, by Order of Magistrate Judge Locke, Plaintiff was granted permission to add Billy Joel Odria as a named Plaintiff and to pursue claims against Michael and Lisa Agolia as additional defendants; and

WHEREAS, by Order dated October 25, 2023, the Action was referred to mediation between Plaintiffs and the Rallye Defendants; and

WHEREAS, Plaintiffs and the Rallye Defendants proceeded to mediation through the Court's Mediation Program; and

WHEREAS, Plaintiffs and the Rallye Defendants successfully mediated this matter in a virtual proceeding held on December 18, 2023 before Ira Cure, Esq.; and

WHEREAS, the parties submitted the terms of the settlement for court review and approval; and

WHEREAS, the Court approved such agreement.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, that under Federal Rule of Civil Procedure 41(a)(1)(ii), Plaintiffs hereby dismiss with prejudice their Claims against all Defendants, including the Rallye Defendants; and

IT IS FURTHER STIPULATED AND AGREED, that this Dismissal with Prejudice may be executed in counterparts with electronic signatures considered as originals.

Dated: July 19, 2024

MOSER LAW FIRM, PC

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SO ORDERED:
